

Message Text

LIMITED OFFICIAL USE

PAGE 01 TOKYO 05097 180746Z

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ACTION L-03

INFO OCT-01 EA-11 ISO-00 JUSE-00 SCA-01 SCS-03 CIAE-00

INR-10 NSAE-00 RSC-01 DRC-01 /031 W

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R 180710Z APR 74

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 1344

LIMITED OFFICIAL USE TOKYO 5097

E.O. 11652: NA

TAGS: CPRS PFOR JA

SUBJ: LEGALITY UNDER GOJ LAW OF U.S. ATTORNEY TAKING

DEPOSITION OF U.S. CITIZEN IMPRISONED IN JAPAN

REF: STATE 76749

1. GOJ MINISTRY OF JUSTICE INFORMED EMBASSY PRISONER'S DEPOSITION MAY BE TAKEN ONLY RPT ONLY IF HE VOLUNTEERS. UNDER JAPANESE LAW PRISON WARDEN HAS SOLE AUTHORITY TO GRANT PERMISSION, BASED ON INDIVIDUAL FACTS.

2. REQUESTS FOR PRISONERS' DEPOSITIONS MUST BE SUBMITTED TO MINISTRY OF FOREIGN AFFAIRS BY NOTE VERBALE.

3. RE PARA 3 REFTTEL, JAPANESE CONSTITUTION, ARTICLE 38, COMPARABLE TO U.S. 5TH AMENDMENT, PRESERVES RIGHT OF INDIVIDUAL TO REFUSE TO TESTIFY AGAINST HIMSELF. EDMOND

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, ATTORNEYS, PRISONERS WELFARE, DEPOSITIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 18 APR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974TOKYO05097
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740089-1163
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740431/aaaabbte.tel
Line Count: 46
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 1
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 76749
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 30 JUL 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <30 JUL 2002 by kelleyw0>; APPROVED <07-Aug-2002 by MorefiRH>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LEGALITY UNDER GOJ LAW OF U.S. ATTORNEY TAKING DEPOSITION OF U.S. CITIZEN IMPRISONED IN JAPAN
TAGS: CPRS, PFOR, JA, US
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005